
**PLANNING
PERMIT
GRANTED UNDER SECTION 96I OF
THE PLANNING AND ENVIRONMENT
ACT 1987**

Permit No.: 662/2017

Planning scheme: Greater Geelong

Responsible authority: City of Greater Geelong

ADDRESS OF THE LAND: 35 Hams Road, WAURN PONDS

THE PERMIT ALLOWS: Multi Lot Subdivision, Variation of Restriction (Remove Electricity Easement) and Removal of Native Vegetation

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Plans

1. Prior to the commencement of the development, three (3) copies of amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:
 - a) The staging plan amended to include construction of RB1 in stage 1 of development.
 - b) All corner lots at intersections must have a minimum width of 14.0 m. All corner lots of the medium density lots must have a minimum width of 9.0 m.
 - c) Road reserve boundaries and splays are sufficient to accommodate a roundabout at the internal four-legged intersection (within Stage 3)
 - d) Provision of an 8.0 m wide lane for the rear-loaded medium density housing products in Stage 6
 - e) Provision of an 8.0 m wide lane for the rear-loaded medium density housing products with part Stage 5
 - f) Provision of a Functional Layout Plan or cross section for the proposed 10 m wide road reserve adjacent to the medium density lots in Stage 5. The plan or cross section must provide for the proposed location of all services, footpath and two on-street car spaces.
 - g) A Functional Layout Plan must be provided to show the retention of the private school bus parking location in Hams Rd (outside of the western boundary of the substation) and all associated car parking provision
 - h) A Functional Layout Plan of the proposed roundabout at the Ghazeepore Road/Hams Road/Sugargum Drive intersection must be provided, including swept path diagrams prepared by a suitably qualified Traffic Engineering consultant using recognised software to show all movements for a 12 m long bus (primary design vehicle) and a semi-trailer (secondary design vehicle).
 - i) The roundabout at the Ghazeepore Road/Hams Road/Sugargum Drive intersection must be constructed as part of the Stage 1 roadworks for Hams Road.

Date issued:

Date permit comes into operation:

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Signature for the responsible authority:

Endorsed Plans

2. The layout and site dimensions of the subdivision as shown on the endorsed plan(s) must not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the Subdivision Act 1988 that is generally in accordance with the endorsed plan(s).
3. The staging of the subdivision must be generally in accordance with the staging plan endorsed as part of this planning permit except with the prior written consent of the Responsible Authority.

Prior to Certification

4. The Plan of Subdivision submitted for certification must include all easements deemed necessary to protect existing or future drainage lines within the subject site, and any easements required between the subject site and the nominated legal point of discharge must be created to the satisfaction of the Responsible Authority.
5. Prior to certification of the plan of subdivision, engineering plans for the construction of new council infrastructure must be submitted to the satisfaction of the Responsible Authority for approval.
6. Prior to the certification of any plan of subdivision (or any relevant stage of a subdivision), any restrictions on the plan of subdivision including relevant “Design Guidelines”, “Restrictions” and/or “Memorandum of Common Provisions” must be submitted to the Responsible Authority for approval and applied to affected lots to the satisfaction of the Responsible Authority. Once approved, the restrictions and associated documentation will be endorsed and form part of the permit. The restrictions / Design Guidelines / Memorandum of Common Provisions must include:
 - a) A restriction applying to any lot directly opposite the Warrnambool Railway Line / Baanip Boulevard (as shown on the Hams Road Development Plan), that does not allow the construction of any dwelling on the burdened lot unless it complies with the following noise attenuation treatments (or otherwise agreed to by VicTrack and the Responsible Authority):
 - Façades/a wall directly opposite the railway: 110 mm brick, 90 mm timber stud with insulation, 1 x 10 mm standard plasterboard;
 - Glazing to habitable rooms with line of sight to the railway: 6/12/10.76 mm laminated glass;
 - Roof: metal deck with insulation and ceiling comprised of 2 x 10 mm standard plasterboard.
 - b) A restriction applying to any lot directly opposite the Geelong Ring Road (as shown on the Hams Road Development Plan), that does not allow the construction of any dwelling on the burdened lot unless it complies with the following noise attenuation treatments (or otherwise agreed to by VicRoads and the Responsible Authority):
 - Wall/façade treatments to achieve the requirements of AS2107 for sleeping and living areas.
7. Prior to the certification of the Plan of Subdivision, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When

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approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the Overall Subdivision Masterplan (dated 31 October 2018), but modified to show:

- a) All corner lots at intersections must have a minimum width of 14.0 m
- b) Road reserve boundaries and splays are sufficient to accommodate a roundabout at the internal four-legged intersection (within Stage 3)
- c) Provision of an 8.0 m wide lane for the rear-loaded medium density housing products

Garden Area Requirement

8. Unless otherwise approved in writing by the Responsible Authority, prior to the issue of the Statement of Compliance, the owner must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the Responsible Authority. The agreement must be in a form to the satisfaction of the Responsible Authority, and the owner must be responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority’s reasonable costs and expense (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:

- a) any future development of a lot of less than 400 square metres in area for a dwelling or residential building must include a ‘garden area’ at ground level as set out at Clause 32.08-3 of the Greater Geelong Planning Scheme. ‘Garden area’ is defined at Clause 73.01 of the Greater Geelong Planning Scheme.

The agreement will be registered on Title in accordance with Section 181 of the Planning and Environment Act 1987.

Easements – Drainage

9. Prior to certification of the Plan of Subdivision for each stage, easements for the purpose of ‘Drainage’ must be set aside in favour of the City of Greater Geelong, to the satisfaction of the Responsible Authority.

Fill

10. Excavated material shall not be carted off the site except with the written approval of the Responsible Authority.

11. No material shall be brought onto the site for use as filling within the subject area under this Permit, unless with the written approval of the Responsible Authority. Prior to any approval being issued by the Responsible Authority for imported filling to be used on the site, the applicant must submit for approval to the Responsible Authority, samples of proposed filling, details of the source of the filling, details of proposed traffic routes to be traversed, soil testing results and reports in regard to the presence of contaminants in the filling, and the suitability of filling to be placed on site.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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12. All areas to be filled shall be stripped of vegetation and any top soil shall be removed and stockpiled for reuse over the filled areas. Only approved filling material shall be placed on the site. The filling shall be placed in maximum 150 mm layers, or as approved otherwise by the Responsible Authority, and compacted to the applicable level for filling on allotments and within future roadways in accordance with AS3798, to the satisfaction of the Responsible Authority.
13. At the completion of the bulk earthworks, and at completion of the works for each stage, all disturbed areas shall be hydro mulched with an approved seed and fertilizer mixture to the satisfaction of the Responsible Authority to suppress dust, and minimise erosion, unless approved otherwise by the Responsible Authority.
14. All works must be undertaken in accordance with the recommendations of any geotechnical reports.

Engineering Plans

15. Prior to the commencement of site works for any stage of the subdivision, the developer is required to submit detailed road and drainage construction plans to the Responsible Authority for approval. The plans shall include details of pits and pipes sizes, finished and existing surface levels, creation of appropriate easements, detention basin(s) including any required drainage reserves, water quality treatment and connection to the legal point of discharge. The Consulting Engineer must show that the design for the drainage system includes recommendations of the report 35 & 69-93 Hams Road PSA Flood Modelling (Water Technology) and complies with the requirements of the Infrastructure Design Manual and any other relevant standards. Site run-off shall be limited to equivalent pre-developed levels for rainfall events up to and including the critical 1% AEP event, to the satisfaction of the Responsible Authority. The plans must include, but not limited to:
 - a) The stormwater drainage system on the site must be designed such that stormwater run-off exiting the land meets the current best practice performance objectives for stormwater quality as follows:
 - i. 80% retention of the typical annual load of suspended solids;
 - ii. 45% retention of the typical annual load of total phosphorous;
 - iii. 45% retention of the typical annual load of total nitrogen; and
 - iv. 70% retention of the typical annual load of gross pollutants.
 - b) Upgrade of the existing outlet and culvert from the retarding basin on the north side of Hams Rd;
 - c) Minimum finished surface levels on all lots must be 300mm above the relevant 1% AEP flood level.
 - d) Details of waterway remediation.
 - e) Details of remediation to existing dams / permanent water bodies. A risk assessment must be provided in accordance with Royal Lifesaving Society guidelines.

Note: Detailed Road and Drainage Design Plans for any stage that result in flood levels on existing properties being adversely affected by the proposed works will not be approved for construction.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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16. Prior to the commencement of works for each stage of the subdivision, construction plans must be submitted to and approved by the responsible authority for the full construction of roads including road reserves, design of all intersection treatments, traffic management devices, linemarking, signage, kerb and channel, vehicle crossing laybacks, road pavement and sealing and footpaths.
17. The plans must include;
- a) Construction of abutting roads including concrete kerb and channel, footpath and sealed road pavement;
 - b) Footpaths on both sides of roads unless otherwise approved;
 - c) All footpath treatments showing DDA compliance at all designated crossing points
 - d) Suitable road reserve cross sections to convey major drainage flows
 - e) Turning areas suitable for the safe and efficient turning of service and emergency vehicles
- To the satisfaction of the Responsible Authority

Construction Management Plan

18. A Construction Management Plan shall be submitted and approved by the Responsible Authority and shall address items including (but not be limited to) the following:
- a) The protection of all existing vegetation and waterways;
 - b) Show access locations for construction vehicles;
 - c) All appropriate control of site emissions during construction and the defects liability period;
 - d) A staging plan for all construction phases including indicative dates for commencement and completion;
 - e) Intended access for construction vehicles;
 - f) Engineering assessment of assets that will be impacted on by construction and recommended techniques to minimise any adverse impact;
 - g) Details of actions to be implemented to in the event of damage to abutting assets;
 - h) Details of where construction personnel will park;
 - i) Hours/days of construction, including deliveries. (Note: These hours must be consistent with the Environment Protection Authority (EPA) legislation/guidelines);
 - j) Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site;
 - k) Details of site cleanliness and clean up regimes;
 - l) Location of material storage;
 - m) Dust suppression management;
 - n) Details of measures to be maintained during the housing construction phase of development to prevent sediment entering downstream drainage infrastructure;
 - o) Any other measures that are consistent with the following Environmental Protection Authority publications: ‘Environmental Management Guidelines for Major Construction Sites’, ‘Construction Techniques for Sediment and Pollution Control’ and ‘Doing it Right on Subdivisions’

Local Area Traffic Management and Road Name Plan

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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19. Unless otherwise approved in writing by the Responsible Authority, prior to the lodgement of the Stage 1 Functional Layout Plans:
- a) A Local Area Traffic Management (LATM) Plan for PP-662-2017 and PP-663-2017 must be developed with Council's Traffic Development Engineer, and submitted to and approved by the Responsible Authority. The LATM treatments may include, but not limited to: traffic management devices internal and external to the site, modified intersection priorities, indented car parking, signage, linemarking, and vehicle crossing locations. All treatments shown on the LATM Plan on subsequent construction plans for each stage must be consistent with the approved LATM Plan.
 - b) When the LATM plan has been finalised, a Road Naming Plan must be developed with Council's Traffic Development Engineer, and submitted to and approved by the Responsible Authority. The Road Naming Plan must respect the LATM plan and the *Naming Rules For Places in Victoria* document. Pre-approved road names and descriptors shall be applied to a color-coded length of road on the Road Naming Plan. All road naming on subsequent plans of subdivision for each stage must be consistent with the approved Road Naming Plan.

all to the satisfaction of the Responsible Authority.

Road Names and Signs

20. Prior to the development of the Road Naming Plan and lodgement of the Functional Layout Plan for Stage 1, the subdivider must provide a list of all proposed road names within the subdivision for approval by Council's Properties and Valuations unit. The subdivider must provide and place all relevant street signs, and are consistent with the road names shown on all approved plans, to the satisfaction of the Responsible Authority.

Construction of Roadworks/ Drainage

- 21. Prior to the issuing of a Statement of Compliance for any stage of the subdivision, all road and drainage works, including basin(s), must be constructed in accordance with the approved plans and specifications to the satisfaction of the Responsible Authority.
- 22. All development and works must be carried out in accordance with the Construction Management Plan endorsed under this permit, all to the satisfaction of the Responsible Authority.
- 23. The design and construction of civil infrastructure to become council assets must be approved and supervised by council. A fee of 3.25% of the cost of the works is to be paid to council for the checking and supervision of these works.
- 24. A maintenance bond of 5% of the cost of the works is to be paid to council and will be returned after successful completion of a 12 month maintenance period for civil works.
- 25. Following Practical Completion, wetlands shall be maintained by the developer for a period of 24 months, to the satisfaction of the Responsible Authority.
- 26. Prior to the issue of a Statement of Compliance for the relevant stage of subdivision, relevant street sign/s must be erected to the satisfaction of the Responsible Authority.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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27. Prior to the issue of a Statement of Compliance for the relevant stage of subdivision, street lighting must be provided within the site and along external frontages in accordance with the relevant Australian Standard(s), unless otherwise agreed in writing by the Responsible Authority and unless it can be demonstrated that existing street lighting is sufficient for public safety to the satisfaction of the Responsible Authority.

29. During the construction phase of the development, the following conditions must be met:

- a) only clean rainwater shall be discharged to the stormwater drainage system;
- b) stormwater drainage system protection measures shall be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;
- c) vehicle borne material from the premises shall not accumulate on the roads abutting the site;
- d) all machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;
- e) fencing is to be fitted and installed so as to ensure safe access for pedestrians; and
- f) all litter must be contained on site;

All to the satisfaction of the Responsible Authority.

30. The developer is responsible for all external drainage works within the VicRoads reserve (Geelong Ring Road Section 4B) to connect and channel the existing drainage network extending from the Ring Road/shared path, to the open waterway reserve in the land, The external drainage works include but are not limited to cleaning and upgrading, where necessary, to the Ghazeepore Road culvert and Geelong Warnambool railway culvert. This is to be undertaken to the satisfaction of the Responsible Authority and VicRoads.

31. Prior to the commencement of improvement works within at the Hams Road a scaled functional layout plan for the works must be prepared to the satisfaction of the Responsible Authority.

32. Unless otherwise approved in writing prior to Statement of Compliance of Stage 2 of the subdivision hereby approved the intersection works at the Hams Road and Ghazeepore Road junction must be completed in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

33. Prior to the commencement of upgrade works to Hams Road a scaled functional layout plan for the works must be prepared to the satisfaction of the Responsible Authority. The plan must include but not be limited to:

- a) Asphaltting
- b) Line marking
- c) Kerb and channel
- d) Connection to the intersection to the intersection at Ghazeepore Road
- e) Drainage works
- f) Footpaths
- g) Pedestrian crossings
- h) Signage.

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34. Unless otherwise approved in writing prior to Statement of Compliance of Stage 2 of the subdivision hereby approved the upgrade to Hams Road must be completed along the length of the subdivision boundary in accordance with the endorsed plans to the satisfaction of the Responsible Authority.
35. Prior to the commencement of upgrade works to Ghazeeopore Road a scaled functional layout plan for the works must be prepared to the satisfaction of the Responsible Authority. The plan must include but not be limited to:
- a) Asphaltting
 - b) Line marking
 - c) Kerb and channel
 - d) Connection to the intersection to the intersection at Hams Road
 - e) Drainage works
 - f) Footpaths
 - g) Pedestrian crossings
 - h) Signage.
36. Unless otherwise approved in writing prior to Statement of Compliance of Stage 2 of the subdivision hereby approved the upgrade to Ghazeeopore must be completed along the length of the subdivision boundary in accordance with the endorsed plans to the satisfaction of the Responsible Authority.

Landscape Master Plan

37. Unless otherwise approved in writing by the Responsible Authority, prior to issue of Statement of Compliance for the first stage of the subdivision, a landscape master plan (incorporating a street tree master plan) for the permit area must be developed and submitted to the Responsible Authority for approval. When approved, the plan will be endorsed and form part of the permit. This plan must address and be consistent with the Precinct Structure Plan and Native Vegetation Precinct Plan applying to the land. It must be drawn to scale with dimensions and submitted electronically. The landscape master plan must show and include, but not be limited to:
- a) The location, size and title designation of all land to be developed as reserves, including Public Open Space Reserves, Conservation Reserves, Greenways, Road Reserves and Drainage Reserves;
 - b) A survey (including the location, size and botanical name) of all existing vegetation proposed to be retained on the land; and show details of tree protections zones. This survey must also show what vegetation is approved for retention, removal and/or lopping in accordance with the Native Vegetation Precinct Plan, highlighting any changes between the two.
 - c) The ultimate 1% and 10% Annual Exceedance Probability storm event extents;
 - d) A general indication of what recreation infrastructure is proposed and its location, including but not limited to: playgrounds, furniture, and exercise equipment, kick about areas, paths, shelters, vehicle exclusion barriers and maintenance access points;
 - e) The style and location of permeable fencing for all lots abutting reserves (excluding road

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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reserves);

- f) The proposed species to be used for and general layout of street tree planting in various stages of the subdivision including the proposed planting theme for all secondary frontages of corner allotments. Tree placement on secondary lot frontages must use no more than two trees that grow to an estimated size of no greater than 5 x 4 metres at maturity;
- g) All proposed street tree planting using semi-advanced trees with a minimum container size of 45 litres, in compliance with AS2303-2015 *Tree Stock for Landscape Use*;
- h) The principles and graphical concepts of Public Art which complies with the requirements of Council’s Art and Culture Department;
- i) The location and size of any water sensitive urban design assets.

Notes:

- 1. Consultation with Council’s Recreation and Open Space Unit during early concept design is encouraged to help facilitate efficient approval processes.
- 2. Any pathway within the open space reserves should be located having regard to the protection of existing vegetation worthy of retention.

Detailed Landscape Plans

38. Unless otherwise agreed in writing by the Responsible Authority, prior to the Statement of Compliance being issued for each applicable stage of the subdivision, a detailed landscape plan for the stage must be prepared and submitted to the Responsible Authority for approval. When approved, the plan will be endorsed and form part of the permit. The landscape plan must be drawn to scale with dimensions and submitted electronically. The plan must address and be consistent with the endorsed landscape master plan applying to the site and show, but not be limited to:

- a) The ultimate 1% and 10% Annual Exceedance Probability storm event extents;
- b) Vegetation that is approved to be retained, removed and/or lopped in accordance with the Native Vegetation Precinct Plan (NVPP), as well as any other practical retention tree(s) within a reserve (excluding conservation reserves) for any stage of the development. The tree(s) not included in the NVPP must be assessed by a suitably qualified arborist to determine suitability for retention and ongoing management recommendations. The detailed landscape plan for the area in which the tree(s) are located must be informed by this arboriculture assessment and show details of tree protection zones. This assessment must be submitted to council as part of the approval process;
- c) A detailed planting schedule and proposed planting layout of all areas of and adjoining open space, including proposed trees, shrubs, groundcovers and aquatic planting (if applicable, with zonation detail), and showing botanical names, common names, pot sizes, sizes at maturity, quantities and densities of each plant;
- d) The proposed layout, materials and finish of all finished surfaces, structures, fences abutting council reserves, maintenance vehicle access crossovers, maintenance access gates, play equipment, furniture and bike parking;
- e) Detailed planting and construction drawings including site contours and any proposed

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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- changes to existing levels including any structural elements such as retaining walls;
- f) Detailed planting and construction drawings of any drainage and WSUD infrastructure within public reserves;
- g) Permeable fence design details for lots abutting open space reserves and Council reserves (except road reserves). Fencing detail must be to Council specifications;
- h) Additional supporting information, such as certified structural designs or building forms;
- i) The removal of existing disused structures, foundations, pipelines, farm dams or stockpiles and the eradication of weeds;
- j) The proposed landscaping treatment of any road reserve abutting public open space;
- k) A detailed schedule of quantities showing accurate cost estimates of each item included in the plan.

Notes:

1. Hard copy/copies of the landscape plan must be provided at the reasonable request of the responsible authority.
2. Consultation with Council’s Recreation and Open Space Unit during early concept design is encouraged to help facilitate efficient approval processes.

No Utility Services on Public Open Space

39. Utility service substations, kiosk sites and the like must not be located on any land identified as unencumbered open space unless otherwise agreed in writing by the responsible authority. Any existing or future easements affecting all land which is to be vested in council must be clearly identified on the detailed landscape plans as per the condition above.

Council Reserves — Vehicle Access Barriers

40. Unless otherwise approved in writing by the Responsible Authority, prior to the issuing of a Statement of Compliance for any relevant stage of the subdivision which includes a Council reserve, suitable vehicle access barriers must be provided across the entrance of the Council Reserve, one of these shall be de-mountable to allow access to Council maintenance vehicles to the satisfaction of the Responsible Authority. The location of these barriers shall be determined by the Responsible Authority.

Fencing of Council Reserves

41. Unless otherwise approved in writing by the Responsible Authority, prior to the issuing of a Statement of Compliance for any relevant stage of the subdivision which includes a Council reserve, the subdivider must erect an appropriate fence on the boundaries of the Council Reserve to the satisfaction of the Responsible Authority and at no cost to Council.

Completion of Landscape Works

42. Unless otherwise approved in writing by the Responsible Authority, the landscaping works shown on the approved landscape plan for a particular stage must be completed to the satisfaction of the Responsible Authority, prior to the issue of a Statement of Compliance for

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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that stage.

43. If the Responsible Authority agrees to issue Statement of Compliance prior to the landscaping works being completed, the entire landscaping works must be bonded to the satisfaction of the Responsible Authority. The landscape works bond or bank guarantee must be 125 per cent of the estimated cost of entire landscape works as shown in the approved schedule of quantities submitted as part of the landscape plans. Unless otherwise agreed in writing by the Responsible Authority the bonded works must be completed within one year of the date of the lodgement of the bond.
44. A practical completion inspection is required and must be arranged by the permit holder with two weeks' notice provided for the responsible authority. The practical delivery of the endorsed plans must be at a standard to the satisfaction of the responsible authority to pass this inspection. If applicable, the landscape works bond will be returned on award of practical completion.
45. Unless otherwise approved in writing by the Responsible Authority, prior to the issue of practical completion of landscaping works, or any other time as agreed by the Responsible Authority, the following must be provided to the Responsible Authority:
 - a) The vesting of the reserve to Council, at no cost to Council;
 - b) Building permits and structural engineering compliance, as-built construction plans, and materials detail where necessary;
 - c) Landscaping maintenance plan
 - d) Schedule of Quantities showing the financial value of all hard assets
 - e) As-built landscaping plans in PDF and GIS-ready AutoCAD (DXF) format.
 - f) An independent playground auditors report with evidence of rectification of any identified defects. The report must relate to all playground equipment, fitness equipment, natural play area, soft fall areas and edging to ensure that all aspects of playground construction meet Playground Standards AS/NZ4422 1996 and AS4685 parts 1-6 2004 and is in good working order and safe for use.
46. Unless otherwise agreed in writing by the Responsible Authority, a maintenance bond must be submitted to the Responsible Authority on application for practical completion of landscaping works. The maintenance bond or bank guarantee must be 125 per cent of the estimated cost of maintenance of landscape works for a two (2) year period.

Maintenance of Landscaping

47. The landscaping shown on any endorsed landscape plan for a particular stage must be maintained to the satisfaction of the Responsible Authority for a period of no less than two (2) years from the date of practical completion of the landscaping unless otherwise agreed in writing by the Responsible Authority. During this period, any dead, diseased or damaged plants are to be replaced and any landscaped area and hard assets are to be repaired as required to ensure the landscaping is maintained to the same standard as when practical completion was awarded.
48. Should the permit holder default on landscape maintenance requirements which leads to a partial or full replanting, the responsible authority will consider the extension of the

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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maintenance period as necessary to provide for establishment of replacements.

49. A handover inspection is required and must be arranged by the permit holder with two weeks' notice provided for the responsible authority. The maintenance of the completed works must be at a standard to the satisfaction of the responsible authority to pass this inspection. The maintenance bond will be returned on award of Handover.
50. The developer and contractors who will construct and maintain the subject reserves and associated landscaping must obtain and maintain appropriate public liability insurance (with the responsible authority's interest noted on the certificate of insurance) over the entire reserve area for the duration of the maintenance period.

Notes:

1. The responsible authority will not be responsible for the reserve and its assets or public liability until a handover inspection has taken place and written acceptance of handover has been issued.
2. At the conclusion of the maintenance period all maintenance responsibilities will be transferred to the responsible authority.
3. No handovers will be accepted during the summer months from 01 December to 28 February inclusive.

Public Open Space Contributions

51. The owner of the subject land must provide Public Open Space in part by land and the balance by cash-in-lieu equivalent to ten (10) per cent of the site value of all developable land in the subdivision pursuant to Section 18 of the Subdivision Act 1988. The contribution will be payable prior to the issue of a Statement of Compliance for each stage.

Street Tree Master Plan

52. For any multi staged development a street tree master plan must be submitted to and approved by the Responsible Authority.
53. The master plan must be developed to include the following:
 - a) All proposed street tree planting using semi-advanced trees with a minimum container size of 45 litres that comply with AS2303 *Tree Stock for Landscape Use*
 - b) Tree placement on secondary lot frontages using no more than two (2) trees that grow to an estimated size at maturity of no greater than 5 x 4m

Notes:

1. The master plan must be developed in accordance with the principles of the PSP where one applies.
2. Street tree species selection within the master plan is subject to approval by Powercor in accordance with the requirements of the Distribution Construction Standard, Underground Trenching. Tree location and species type shall be determined, in consultation with CitiPower/Powercor, based on the specific site and the ability of the tree to both enhance the

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local amenity and co-exist with utility services infrastructure – with all trees to be identified on a ‘master services plan’ provided by the party planting the trees.

3. The applicant must obtain and provide evidence to the Responsible Authority that Powercor has been consulted and has agreed with the proposed street tree species palette.

- Streetscape Works, Detailed Plans

54. Prior to the Statement of Compliance being issued for each relevant stage of the subdivision, a detailed streetscape plan, prepared by a person suitably qualified in landscape design, must be submitted to and approved by the Responsible Authority.
55. When approved, the plan will be endorsed and will then form part of the permit. The streetscape plan must be drawn to scale with dimensions and three hard copies provided.
56. Where applicable, the plan must be generally in accordance to the street tree master plan and show:
 - a) The name and stage of the estate and the Planning Permit Number
 - b) The layout of proposed new planting in all road reserves and traffic management devices (e.g. medians, islands, and roundabouts)
 - c) Details of all other infrastructure within the road reserve (e.g. underground services, street lights, stormwater pits, fire plugs etc)
 - d) A detailed planting schedule of all proposed trees and plants including botanical names, common names, pot sizes, sizes at maturity and quantities for each species
 - e) All proposed groundcover & shrub planting with a minimum container size of 150mm
 - f) The maintenance schedule for all proposed planting
 - g) Plan view indicating mature tree sizes, shown to scale to illustrate the extent of canopy coverage
 - h) All road cross sections applicable to the site
 - i) TPZ on all plans (where applicable)

Notes:

1. Proposed entry signage must not be located on public land.
2. Landscape treatments within traffic control devices such as medians and roundabouts are subject to specific control measures.
3. Where applicable in multi-staged developments the Street Tree Master Plan may form part of the Landscape Master Plan

Completion of Streetscape Works

57. Unless otherwise approved in writing by the responsible authority, prior to the issue of Statement of Compliance for a particular stage of development all streetscape works shown on the endorsed streetscape plans for that stage must be completed to the satisfaction of the responsible authority.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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58. Where streetscape works forming part of the endorsed plans are not completed to the satisfaction of the Responsible Authority prior to the applicant seeking a Statement of Compliance for all, or a particular stage of a subdivision, the developer may request the approved Streetscape Plan to be appropriately bonded or covered by a bank guarantee. Estimates must be professionally costed and submitted to the Responsible Authority for approval, once approved the bonds or bank guarantees must be submitted to the Responsible Authority separately prior to Statement of Compliance being awarded.
- a) The incomplete streetscape works bond or bank guarantee must be 125 per cent of the estimated cost of incomplete streetscape works.
 - b) The maintenance bond or bank guarantee must be 125% of the estimated cost of maintenance activities for a two (2) year period.

Notes

- 1. A practical completion is required to satisfy this condition and must be organised by the permit holder with two weeks' notice given for onsite inspections. The incomplete works bond will be returned once practical completion has been awarded.
- 2. Works bonded as outstanding must be enacted within one (1) year of statement of compliance being awarded.

Maintenance of Streetscape Works

- 59. All works must be maintained to the satisfaction of the Responsible Authority for a period of two (2) years from the date of practical completion. During this period, any dead, diseased or damaged plants are to be repaired or replaced as required.
- 60. Where the landscape works are bonded, the maintenance period will commence from the date that the works are awarded Practical Completion by the Responsible Authority.
- 61. A maintenance bond to the value of 125% of the cost of works must be submitted to the responsible authority on application for practical completion of landscaping works to be retained until such time that the works have been accepted by Council for handover.
- 62. Works that have achieved practical completion will be randomly inspected throughout the maintenance period. Works deemed by the Responsible Authority as being inappropriately maintained or established will not be accepted and will remain on maintenance until such time that the Responsible Authority deems it acceptable.

Notes

- 1. A handover inspection is required to satisfy this condition and must be organised by the permit holder with two weeks' notice given for onsite inspections. The maintenance bond will be returned on acceptance of handover.
- 2. No handovers will be accepted during the summer period, between 30 November and 1 March.

Section 173 Agreements

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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63. Development Contributions, Infrastructure Items, public open space contributions and any other relevant requirement of the section 173 Agreement applying to the land must be satisfied in accordance with the Agreement to the satisfaction of the Responsible Authority. Detail, to the satisfaction of the Responsible Authority, must be provided detailing the method of calculation of the contribution or requirement to be satisfied.

Barwon Water Conditions

General

64. The owner shall create easements for Pipelines or Ancillary Purposes and or reserves in favour of Barwon Region Water Corporation on the plan of subdivision in accordance with Barwon Water's Land Development Manual, without cost to Barwon Water, over existing and proposed water and sewerage infrastructure within the land. If further easements or reserves are required following design of water and sewerage infrastructure these must be added to the plan of subdivision prior to seeking Barwon Water's consent to the issue of a statement of compliance for the subdivision.
65. The plan of subdivision must be referred to Barwon Water in accordance with the Subdivision Act 1988 and any subsequent amendments to the plan provided to Barwon Water.
66. Barwon Water has two strategic mains surrounding the above mentioned sites, being the 1000mm Grovedale Feeder Main to the south and the 1400mm Pettavel-Montpellier Transfer Main to the West. Both mains are critical to the region and they are to be protected to the satisfaction of Barwon Water.

Water

67. The provision and installation of individual water services to all lots in the subdivision. Note, that tappings and services are not to be located under existing or proposed driveways.
68. The payment of New Customer Contributions for water for each additional connection which includes any new lot on a plan of subdivision and/ or any apartment, unit, or premises within the development that is or can be separately metered for water supply.
69. Reticulated water mains or a water main extension are/ is required to service the proposed development. This work must be designed by a Barwon Water accredited Consulting Engineer and constructed by a Barwon Water accredited Contractor following the "Developer Works" process.

Sewer

70. The provision of sewerage services to all lots in the subdivision. Individual allotment house connection drains are to be provided for and extend into each allotment.
71. The payment of New Customer Contributions for sewer for each additional connection which includes any new lot on a plan of subdivision and/ or any apartment, unit, or premises within the development that is or can be separately metered (for water supply).

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- 72. Reticulated sewer mains or a sewer main extension are/ is required to service the proposed development. This work must be designed by a Barwon Water accredited Consulting Engineer and constructed by a Barwon Water accredited Contractor following the "Developer Works" process.
- 73. Additional sewerage assets are required to service this development. The creation of assets is additional to the internal works required for which the developer will be responsible to provide. The assets required are a Sewerage Pump Station (SPS) and Rising Main (RM).

Note: The developer is to apply to Barwon Water for details relating to costs and conditions required for the provision of water supply and sewerage services to the subdivision. It would be appreciated if all communication between the developer/agent and Barwon Water quote Barwon Water Land Development reference number **L014521**.

Powercor Conditions

- 74. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.
- 75. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with Powercor’s requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor (A Payment to cover the cost of such work will be required). In the event that a supply is not provided the applicant shall provide a written undertaking to Powercor Australia Ltd that prospective purchasers will be so informed.
- 76. The applicant shall, where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.
- 77. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
- 78. The applicant shall set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision. Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat prior to the registration of the plan of subdivision.
- 79. The applicant shall provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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plan an easement(s) in favour of Powercor Australia Ltd for 'Powerline Purposes' pursuant to Section 88 of the Electricity Industry Act 2000.

80. The applicant shall obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
81. The applicant shall adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.
82. The applicant shall obtain Powercor Australia Ltd's approval for a lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.
83. The applicant shall provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.

CFA Conditions

Hydrants

84. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:
85. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants must be no more than 120 metres apart.
86. The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note – CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site (www.cfa.vic.gov.au)

Roads

87. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
88. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
89. Curves must have a minimum inner radius of 10 metres.
90. Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 4 metres above the access way.

Date issued:

Date permit comes into operation:

(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)

Signature for the responsible authority:

91. Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

Telecommunication Conditions

92. The owner of the land must enter into agreements with
- a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and
 - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.
93. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and
 - b) a suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Department of Jobs, Precincts and Regions – Earth Resources Regulation Branch

94. All Lots contained within stages 6,7,8 & 9 (whether wholly or partially) affected by the 250m extractive industry buffer as shown on the endorsed plan shall not be developed without the further written agreement of the Department of Jobs, Precincts and Regions.

Note: any variation or alteration to the stages referred to above must be submitted to the Earth Resources Regulation Branch within the Department of Jobs, Precincts and Regions.

Expiry

95. This permit will expire if one of the following circumstances applies:
- a) The first stage of the plan of subdivision has not been certified within two years of the date of this permit.
 - b) All stages of the plan of subdivision have not been certified within five years of the date of this permit.
 - c) A statement of compliance is not issued within five years of the date of certification of a particular stage of subdivision.

The Responsible Authority may extend the certification period referred to if a request is made in writing before the permit expires or within six (6) months afterwards.

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[If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit, and the name of the responsible authority that approved the amendment —]

<i>Date of amendment</i>	<i>Brief description of amendment</i>	<i>Name of responsible authority that approved the amendment</i>

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Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. [*insert amendment number*] to the [*insert name of planning scheme*].

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development: or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Civil and Administrative Tribunal for a review of any condition in this permit.